

In re: Wong et al.

Application Serial No.: 10/519,278

Filing Date: December 22, 2004

Page 6

REMARKS

Applicants appreciate the Examiner's thorough examination of the present application as evidenced by the Office Action of July 19, 2007 (hereinafter "Office Action"). In response, Applicants respectfully submit that the cited references, either alone or in combination, do not disclose or suggest all of the recitations of the pending independent claims. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

Independent Claims 1, 12, and 24 are Patentable

Independent Claims 1, 12, and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No.6,044,275 to Boltz et al. (hereinafter "Boltz") in view of U. S. Patent Publication No. 2003/0023759 to Littleton et al. (hereinafter "Littleton"). Independent Claim 1 is directed to a method of automatically sending electronic messages from a portable communication device to a selected recipient and recites, in part:

retrieving date information from an electronic date determination unit;
retrieving first recipient related information from an electronic contact register, the first recipient related information being personal date information associated with the recipient; and

automatically sending a pre-configured electronic message over a network to the recipient based on the date information and the first recipient related information. (Emphasis added).

Independent Claims 12 and 24 include similar recitations. According to the independent claims, personal date information is associated with a recipient. A pre-configured electronic message is automatically sent over a network based on date information retrieved from an electronic date determination unit and the personal date information associated with the recipient. Some embodiments of the present invention may allow more simplified sending of personal messages, such as birthday greetings, to specific recipients. For example, in the case of a birthday greeting, a device user may include birthday information along with other contact information for one or more individuals in a contact register of a portable communication device. The user may also

In re: Wong et al.

Application Serial No.: 10/519,278

Filing Date: December 22, 2004

Page 7

prepare a message to wish a particular individual a happy birthday. Once the communication device determines that there is a match between the current date and the birthday of the particular individual whose contact information is in the contact register, the communication device automatically sends the already prepared birthday message to the particular individual on his/her birthday.

The Office Action acknowledges that Boltz does not disclose or suggest "an electronic contact register and first recipient related information being personal date information." (Office Action, pages 2 and 3). The Office Action maintains, however, that Littleton provides the missing teachings. (Office Action, page 3). Applicants respectfully submit that neither Boltz nor Littleton disclose or suggest, at least, associating personal date information with a recipient and storing the personal date information in a contact register and also sending a pre-configured electronic message to the recipient based on the personal date information and date information retrieved from an electronic date determination unit.

Turning first to Boltz, this reference describes a system in which a user, *i.e.*, message sender, can define a date and time that an SMS message is to be delivered (Boltz, col. 4, lines 20 - 24; col. 4, lines 44 - 62; and col. 4, line 63 - col. 5, line 12). Boltz does not disclose or suggest associating personal date information with a recipient and storing the personal date information in a contact register. While Boltz does describe automatically sending an electronic message at a time defined by a user/sender, Boltz does not describe sending the electronic message based on personal date information associated with the recipient.

Turning next to Littleton, this reference describes a technique for provisioning telephony services on a personal digital assistant (PDA) in which a user is presented with a list of names of contacts in an address book database. The user may then select a contact from the database. (Littleton, paragraph 20). Once a user has selected a contact, various telephone service features can be selected for the contact, such as call waiting, call forwarding, call blocking, etc. (Littleton, paragraph 20). Littleton points out that a record for a contact in the database may include custom fields, such as a field for storing birthday information. (Littleton, paragraph 21). Such a custom field may be used to store a compressed coded string message representing the

In re: Wong et al.

Application Serial No.: 10/519,278

Filing Date: December 22, 2004

Page 8

various telephony feature information associated with the contact. (Littleton, paragraph 23). Thus, Littleton does not disclose or suggest using personal date information as a basis for sending an electronic message. In fact, Littleton suggests using a field that may be used to store personal date information, such as birthday information, for another purpose, i.e., to store telephony service feature information. If any birthday information is stored in such a field, it appears that Littleton suggests replacing it with telephony service feature information.

Applicants submit, therefore, that the Boltz and Littleton, either alone or in combination, do not disclose or suggest, at least, associating personal date information with a recipient and storing the personal date information in a contact register and also sending a pre-configured electronic message to the recipient based on the personal date information and date information retrieved from an electronic date determination unit as recited in independent Claims 1, 12, and 24.

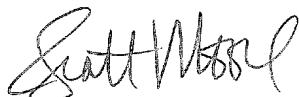
Accordingly, for at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 12, and 24 are patentable over the cited references and that Claims 4 - 11 and 15 - 23 at least per the patentability of independent Claims 1, 12, and 24.

CONCLUSION

In light of the above remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

USPTO Customer No. 54414
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Respectfully submitted,



D. Scott Moore
Registration No. 42,011